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SUBJECT: IS THE ANC AS DEMOCRATIC AS IT CLAIMS?

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11. (SBU) SUMMARY. What began as a Durban road blockade in 2005 has become a shack-dwellers movement in South Africa. Abahlali baseMjondolo (AbM, which means 'those who live in the shacks' in Zulu) now includes thousands of shack-dwellers from more than 30 informal settlements throughout the country. AbM has garnered international support and has won legal battles against the African National Congress's (ANC) attempts at forced removal. While the ANC claims to be making efforts to clean up slums and provide the poor with adequate housing, AbM leadership claims intimidation and anti-democratic tactics are used against its members by the ruling party. AbM represents a true test of democratic governance for the ANC. END SUMMARY.

History

12. (SBU) Kennedy Road (KR) is a shack settlement located next to Durban's largest dumpsite, southwest of central Durban. Homeless individuals began living in KR in the late 1970s. As the number of residents grew, local government attempted to force people out of KR but was unsuccessful. By the late 1980s, the City of Durban ended its eviction efforts. However, in 1995, a year after the end of apartheid, the local ANC government began its own eviction campaign. KR now has approximately 10,000 residents, who live in squalor. A lack of electricity, potable water, and toilets has resulted in daily fires, open sewers, and rat infestations, according to local media.

Birth of a Movement

13. (SBU) In 1999, residents of KR formed the Kennedy Road Development Committee (KRDC) as a way to petition local authorities for basic utilities in their settlement while they awaited permanent housing. S'busiso Zikode was elected chairperson, and under his leadership, KR was able to secure interim services from the city of Durban, said Zikode to Pol/Econ officer during a two-hour December 3, 2009 meeting. Encouraged by municipal promises of permanent housing and better living conditions and hoping to increase his credibility and influence with city lawmakers, Zikode joined the ANC in 2000. By 2004, however, KR residents had not yet seen any movement on

their promised housing. Zikode also claims he began to feel pressure from the Durban municipality to avoid discussing housing and service delivery issues during KRDC meetings. Zikode withdrew from the ANC, and he along with other KR residents declared that 2005 would be a 'year of action.'

14. (SBU) On March 19, 2005, KR residents protested the demolition and sale of a tract of land that had been promised to the residents of KR by the Durban municipality as a new housing site, said Zikode. The protest drew over 800 participants, including residents from other informal settlements, who blockaded a major Durban road for several hours. The protesters were ultimately dispersed by police dogs, and 14 people were arrested, according to local media. Subsequent to the protest, residents from KR and 13 other informal settlements formed Abahlali baseMjondolo (AbM). In September 2008, AbM joined the Landless People's Movement, the Rural Network, and the Western Cape Anti-Eviction Campaign to form The Poor People's Alliance, the largest shack-dwellers organization in South Africa.

AbM Philosophy and Demands

15. (SBU) Zikode emphasizes that AbM is a 'radical poor people's movement that is democratic. Our movement is a homemade politics that everyone can understand and find a home in.' The politics of AbM are conducted 'by the poor, for the poor, and where the poor people live,' said Zikode. AbM shuns top-down 'self-enriching,' 'professional' politics and refuses representational roles, personal power, and financial reward. 'Such a top-down system has terrorized our society. In fact, it

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is an insult to assume that poor people cannot think for themselves, that someone else must talk for them without their concern. Our demands are simple: land and homes in the cities where we live,' said Zikode. And while AbM members wait for the local government to act, they demand water, electricity, and basic sanitation facilities.

Shack Dwellers Movement Flexes its Muscle

16. (SBU) In 2007, the KZN Legislature passed the KwaZulu-Natal Elimination & Prevention of Re-emergence of Slums Act. The act was controversial because it gave the provincial MEC (Member of Executive Committee, like a 'provincial minister) for Housing authority to forcibly remove residents from informal settlements. AbM contested the act in the KZN High Court, arguing that it was repressive, anti-poor, and unconstitutional. AbM also argued that rather than evict slum residents, KZN was mandated to deal with the lack of inadequate housing in the province. AbM lost in the KZN High Court but on October 14, 2009, the South African Constitutional Court ruled that the act was unconstitutional. This was a great blow to the ANC and municipalities in other provinces that had hoped to pass similar acts, Imraan Buccus - who teaches politics at the University of KZN - told Pol/Econ Officer on November 22, 2009.

Intimidation and Oppression

17. (SBU) AbM members have endured harassment from the state in the form of unwarranted arrests, and repeated and severe police

violence in people's homes, in the streets and in detention, according to Zikode. On a number of occasions the police have used live ammunition, armored vehicles and helicopters in their attacks on unarmed shack dwellers, according to local media. AbM has filed numerous police brutality and wrongful arrest charges against the police, to no avail. To date, not one of the AbM members who was arrested has ever been convicted of an offence, according to Zikode.

The Kennedy Road Attack

18. (SBU) On September 26, 2009, 40 local tavern owners disrupted a AbM youth camp, demanding that the youth join them in a protest against AbM, said Secretary of AbM Youth League Zodwa Nsibande to Pol/Econ officer on December 3. The tavern owners gathered outside AbM's office and called for Zikode and Nsibande to come out, accusing them of being Xhosa-speaking meddlers intent on ruling the lives of Zulus living in KR, said Zikode. Nsibande and Zikode hid from the tavern owners, but the mob ransacked and demolished AbM's office, Zikode's home and those of several other AbM members in the presence of the police, said Nsibande and Zikode. The attacks continued through September 28, and five people were killed, reported local media.

Thirteen AbM members were subsequently held without bail or charges until early December when eight were released. In the aftermath, ANC Ward Councilor Yakooob Baig reported to local media that 'harmony has been restored now that the Abahlali criminals are gone.'

19. (SBU) Nsibande and Zikode claim that the September 26 KR attack was 'planned by the ANC at the very highest political level.' According to Zikode, the ANC retaliated against AbM because the party was incensed that 'a group of dirty shack dwellers would dare to expose the ANC's corruption' and challenge them in the highest courts of the land. 'Although we have won some important battles against the ANC, we are now paying for those victories with our lives. Thousands of us no longer have homes, and many of us live in fear in our own country. I am a refugee in my own country, in my own city,' declared Zikode to Pol/Econ Officer.

110. (SBU) KZN MEC for Transport, Community Safety and Liaison

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Willies Mchunu denied in an October 20 op-ed piece that the ANC was behind the September 26 KR attack. Mchunu argued that the attack on AbM members was the result of an illegal curfew imposed on KR residents by an illegal safety and security forum formed by AbM. Zikode acknowledges the formation of the forum, but insists that the curfew was a 12a.m. sales curfew imposed on illegal taverns selling liquor 24 hours a day. Also, Zikode points out that the forum was formed with the consent of the local police commissioner and therefore was empowered to impose such a curfew. Mchunu has since placed under investigation the police commissioner who authorized the forum. He declared the forum a 'vigilante group that must be dissolved.' Mchunu also placed KR under a 24-hour police watch and promised improved lighting and that a new housing project for 600 households would begin in January 2010.

Democracy under Attack

111. (SBU) AbM leaders argue that their movement is a threat to the ANC's authority and to the elites who have enriched

themselves at the expense of the poor. 'Democracy itself is under threat in South Africa. A coup happened on September 26. The ANC violently replaced a democratically elected community organization. Who are they to do this!' exclaimed Zikode. After the politicians and the police departed from KR on September 26 in KR, the settlement was left in the hands of armed young ANC men who patrolled the area and made it clear, via death threats, that AbM was now banned from Kennedy Road, alleged Zikode. 'We always allowed free political activity in Kennedy and all settlements in which AbM candidates have been elected to leadership. Now we are banned.'

¶12. (SBU) ANC leaders, including MEC for Economic Development and Tourism Mike Mabuyakhulu, Durban City Mayor Obed Mlaba, and Durban City Manager Mike Sutcliffe, have often accused AbM of being 'manipulated by a third force or a foreign intelligence agency intent on destabilizing the country,' according to Zikode. No evidence has ever been presented to substantiate these claims 'because they are patently ludicrous and paranoid but they have created a climate that justifies violent repression.' In support of AbM's claim, Anglican Bishop Rubin Phillip said, 'It is essential that the attack on democracy in KR is widely publicized so that we can all confront what has happened and ensure that it never happens again.'

Support from Other Political Parties

¶13. (SBU) 'The AbM situation reveals the ANC's inability to address the serious housing shortage problem in the Durban area,' contended Democratic Alliance (DA) Representative Dean McPherson to Pol/Econ Officer during a November 20, 2009 meeting. The DA also supports AbM's efforts to expose the ANC's 'corrupt and unfair system of housing allocation, McPherson added.

¶14. (SBU) 'COPE is concerned about what is going on in Kennedy Rd. We are worried about reports of police biasness and alleged ANC involvement. Our [parliamentary representative] Lucky Gabela will ask KZN MEC Willies Mchunu to give the legislature a report on Kennedy Road as soon the legislature resumes. We believe there is a need for an independent inquiry into the Kennedy Road situation,' KZN Congress of the People (COPE) Provincial Secretary Phillip Mhlango told Pol/Econ Assistant on January 5.

¶15. (SBU) 'The IFP is monitoring developments in Kennedy Road and is very concerned about the plight of Abahlali leaders who have been exiled from their homes. Kennedy Road is part of a bigger housing problem in eThekweni and needs urgent attention of the municipality. The ANC is treating Kennedy Road badly because it is not their stronghold area and they don't enjoy support there. We will call for an independent inquiry to determine the cause of violence in the area,' reported Inkatha

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Freedom Party (IFP) eThekweni Spokesperson Joshua Mazibuko to Pol/Econ Assistant on January 5.

Church Support, International Calls for Action

¶16. (SBU) The plight of AbM has garnered the attention of churches and international civil rights organizations. The

United Nations Special Rapporteur on Adequate Housing Miloon Kothari on February 29, 2008 expressed great concern about the well being of KR residents living under 'far short of safe and sustainable living conditions.' He added, 'This situation is compounded by tenure insecurity and the threat of forced eviction.' In a speech at the AbM Unfreedom Day event on April 27, 2008 Anglican Bishop Rubin Phillip said: 'You have faced fires, sickness, evictions, arrest, beatings, slander, and still you stand bravely for what is true. Your principle that everyone matters, that every life is precious, is very simple but it is also utterly profound. Many of us who hold dear the most noble traditions of our country take hope from your courage and your dignity.' (Note. In Germany on October 30, 2009, Bishop Phillip received the 2009 International Bremen Peace Award in recognition of his work for justice, peace and integrity. End Note.)

¶17. (SBU) The September 26 KR attacks led to a petition in support of an independent investigation signed by over 1200 academics, NGOs and church leaders. Executive Director of Children of South Africa (CHOSA) Jared Sacks lambasted the ANC in a September 30 op-ed piece for its treatment of KR residents and also called for support of the investigation demanded by AbM.

¶18. (SBU) In response to the arrest and detainment without charge or bail of the 13 AbM members after the September 26 KR attack, the Diakonia Council of Churches on November 18 made an 'urgent call to defend our democracy and to support the voiceless.' On December 16, 2009 Bishop Phillip presented Zikode with the Order of the Holy Nativity, saying: 'We believe what [AbM] are doing is right. They stand for democracy and human rights.' On the same day, Amnesty International also threw its weight behind a call for an investigation. 'Amnesty International deplores the continuing failure of the South African authorities to investigate impartially and fully human rights abuses which occurred during and after armed violence at the Kennedy Road Informal Settlement in Durban last September.'

¶19. (SBU) On December 24, the KZN Church Leaders' Group released a joint Advent message regarding the 'battles of the poor.' Regarding AbM, the message stated: '[AbM] has called for land and housing to be made available within the city. By doing so it has exposed corruption and mismanagement in the allocation of houses. Since September 2009, when the KR settlement was attacked by armed and organized vigilantes, the political elites have brought a horrifying wave of violence upon the movement, including forced evictions, targeted destruction of homes and death threats against its leaders. In all of these instances, an unholy but by now characteristic, alliance of profit-seeking economic elites and elements in the governing party are implicated in a broader project of elite enrichment and accumulation.'

Comment

¶20. (SBU) The parallels between AbM's struggles against the ANC and the latter's fight against the apartheid regime cannot be ignored. The accounts of forced removals, violence, intimidation, and leaders in hiding seem like echoes of a time supposedly gone forever. Even talk by ANC leaders of a 'third force' at work are eerily reminiscent of a paranoid apartheid era. Post has found local ANC officials reluctant to discuss the matter and repeated attempts by Pol/Econ Assistant to secure a meeting with municipal housing authorities came to naught.

¶21. (SBU) The AbM movement is a test of democratic governance for the ANC, as it decides what to do when its own people do not support its vision of development (Reftel). The ANC's tolerance for dissent will be further tested during next year's FIFA World cup; AbM members plan mass demonstrations for the entire world to see - even if they do not get a permit to do so.

¶22. (SBU) Providing free housing for the nearly 800,000 residents living in 500 informal settlements in the Durban area is a great challenge for the ANC. Apart from the funds required to build sufficient housing, there simply isn't enough space in Durban proper for such expansion. City housing may be a central demand of AbM, but its members must face the reality that accepting free housing in the rural periphery may be the only viable option for most.
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